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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/914,050	01/31/2002	Mitsunobu Sekiya	9792486-0109	8512

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EXAMINER

TRAN, THUY V

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 03/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/914,050

Applicant(s)

SEKIYA, MITSUNOBU

Examiner

THUY V. TRAN

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

Claims 1-8 are currently presented in the instant application according to the Applicant's filing on 01/31/2002.

#### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 01/31/2002 is in compliance with the provisions of 37 CFR 1.97 and 1.98. Accordingly, the information disclosure statement is being considered by the examiner, except references JP-2000-252081 A; JP-2000-221529 A; and JP-2000-91069 A (*since the publication dates of these references are after the priority date of the instant application*).

#### ***Drawings Objection***

3. The drawings are objected to because of lacking "Prior Art" label in Fig. 6.

4. Figure 6 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Specification Objection***

5. The abstract of the disclosure is objected to because it is not written in an improper format (*only a single paragraph*). Correction is required. See MPEP § 608.01(b).

6. Applicant is reminded of the proper language and format for an abstract of the disclosure.

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The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

7. The specification of the disclosure is objected to because it contains numerous dash lines throughout the specification that must be corrected (i.e. page 1, paragraph 2, line 5, "L1, L2,--- " should be changed to --L1, ..., Lm--, etc.).

Appropriate correction is required.

8. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

#### ***Claim Objections***

9. Claims 1-4 are objected to because of the following informalities:

Claim 1, lines 3, 6, and 7, delete "the";

Claim 1, line 8, delete "plural";

Claim 1, line 9, delete "arranged being";

Claim 2, line 2, delete "said" (second occurrence);

Claim 2, line 3, delete "plural";

Claim 3, line 2, delete "the";

Claim 4, line 2, delete "the".

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Hisato et al. (JP-09106887A).

With respect to claim 1, Hisato et al. discloses, in Fig. 4, an organic electroluminescence display in which (1) plural rows of scanning lines [16a, ..., 16c] and plural columns of signal lines [17] are arranged, and (2) pixels are arranged at portions where the scanning lines intersect the signal lines; wherein (i) the pixels have an organic electroluminescence layer (*an organic light emission layer is sequentially formed between electrode [12, made of 13a, 14a, 13b, 14b] and an opposite electrode*) inclusive of an organic light emitting layer held between first pixel electrodes [13a, 13c, 13e] constituted by the scanning lines and second pixel electrodes [13b, 13d, 13f] connected to the signal lines, and (ii) the second pixel electrodes are overlapped on the scanning lines in a direction in which the signal lines are extending.

With respect to claim 2, Fig. 4 of Hisato et al. shows that the second pixel electrodes [13b, 13d, 13f] are arranged over neighboring scanning lines.

With respect to claims 3 and 4, Fig. 4 of Hisato et al. shows that the second pixel electrodes [13b, 13d, 13f] are arranged over two neighboring scanning lines among the scanning lines.

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With respect to claims 5-8, Fig. 4 of Hisato et al. shows that the signal lines [17] are divided into plural lines (*by first and second pixel electrodes*) in a direction in which they extend.

***Citation of relevant prior art***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art Yokoyama (U.S. patent No. 6,429,599) discloses a color electroluminescence display device.


***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THUY V. TRAN whose telephone number is (703) 305-0012. The examiner can normally be reached on M-F (8:30-6:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DON K. WONG can be reached on (703) 308-4856. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-3807 for regular communications and (703) 746-3807 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Thuy Vinh Tran  
March 23, 2003

  
Don Wong  
Supervisory Patent Examiner  
Technology Center 2800